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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/573,391

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Ronald Jabusch

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EXAMINER

HAUGLAND, SCOTT J

ART UNIT

PAPER NUMBER

3654

MAIL DATE

DELIVERY MODE

04/02/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/573,391	Applicant(s) JABUSCH ET AL.	
	Examiner Scott Haugland	Art Unit 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the housing for locking of the belt spool recited in claim 1, lines 4-5 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The language of claim 2, lines 3-4 is unclear or inaccurate. The outer diameter of the clamping ring is shown as being the same as the internal diameter of the recess in the assembled state in Fig. 3.

Claim 3 recites the limitation "the front side" on line 2. There is insufficient antecedent basis for this limitation in the claim.

The language of claim 4, lines 3-4 is unclear or inaccurate. The internal diameter of the clamping ring is shown as being the same as the diameter of the projection 14 in the assembled state in Fig. 3.

The language of claim 5, lines 2-3 is unclear or inaccurate. The clamping ring 16 is not flat in the assembled state (note Fig. 3).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Nagata et al (U.S. Pat. No. 6,354,528).

Nagata et al discloses a spool assembly for a self-locking belt retractor comprising a locking device for a belt spool shaft 70, a profile head 82 as carrier of a locking element 210 arranged so as to be movable with a housing for locking of the belt spool shaft, a force limiting device 92 in the form of a torsion bar which is connected at one end with the belt spool shaft 70 and at an opposite end connected with the profile head 82, at least one axially extending projection 82A formed by the profile head which fits into a recess 80A formed in the belt spool shaft forming an annular space 88 therebetween and a clamping ring 84 positioned in the annular space for transmitting limited torque between the belt spool shaft and the profile head and retaining them in an assembled condition. The clamping ring can be pushed onto the projection and the outer diameter of the clamping ring is larger than the internal diameter of the recess. The projection is provided on the front side with a step 88A for accommodation of the clamping ring. The clamping ring can be laid in the recess 88 and the internal diameter (between 84B) of the clamping ring is smaller than the diameter of projection. The clamping ring is in the form of an open ring forming a gap (Fig. 8). The profile head is movable with a housing 208, 210 for locking of the belt spool.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagata et al (U.S. Pat. No. 6,354,528) in view of Habert (U.S. Pat. No. 3,779,659).

Nagata et al is described above.

Nagata et al does not disclose that the clamping ring is a flat disc.

Habert teaches forming a clamping ring for connecting a rotary members 8, 9 as a flat disc (1 or the disc of the prior art described at col. 1, lines 11-47).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Nagata et al with a clamping ring in the form of a flat disc as taught by Habert in lieu of the clamping ring of Nagata et al to simplify manufacture and assembly of the spool.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagata et al (U.S. Pat. No. 6,354,528) in view of Renner (U.S. Pat. No. 3,033,622).

Nagata et al is described above.

Nagata et al does not disclose that the clamping ring has a spiral form.

Renner teaches forming a clamping ring 20 so as to have a spiral form.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Nagata et al with a clamping ring having a spiral form as taught by Renner in lieu of the clamping ring of Nagata et al to simplify manufacture and assembly of the spool.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fisher et al (U.S. Pat. No. 5,110,246), Guest (U.S. Pat. No. 5,603,530), Gutfleisch et al (U.S. Pat. No. 4,886,481), Flower (U.S. Pat. No. 4,165,194), Leonard (U.S. Pat. No. 3,837,687), Parkin (U.S. Pat. No. 3,007,726), and Bedford, Jr. (U.S. Pat. No. 2,950,937) are cited to further show clamping rings.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Haugland whose telephone number is (571)272-6945. The examiner can normally be reached on Mon. - Fri., 10:00 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SJH/

3/19/09

/Peter M. Cuomo/

Supervisory Patent Examiner, Art Unit 3654